eBay Inc.,		
Plaintiff(s),	CASE NO. C 08 04052 JF	
riamum(s),		
V. Digital Point Solutions, Inc., et al.	STIPULATION AND <del>[PROPOSED]</del> ORDER SELECTING ADR PROCESS	
Defendant(s)/		
Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:		
The parties agree to participate in the following ADR process:		
Court Processes:  Non-binding Arbitration (ADR L.F. Early Neutral Evaluation (ENE) (Mediation (ADR L.R. 6)		
(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)		
Private Process:	age and manidae). Private mediation	
✓ Private ADR (please identify process and provider) Private mediation through a provider to be later determined by the parties.		
The parties agree to hold the ADR session by:  the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)		
✓ other requested deadline Within 30 days after the close of expert discovery.		
Dated: 12/23/08	Attorney for Plaintiff	

eBay Inc.,		
	CASE NO. C 08 04052 JF	
Plaintiff(s),		
v.	STIPULATION AND [PROPOSED]	
Digital Point Solutions, Inc., et al.	ORDER SELECTING ADR PROCESS	
Defendant(s).		
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The parties agree to participate in the following A	ADR process:	
Court Processes:		
Non-binding Arbitration (ADR L.R. 4)		
Early Neutral Evaluation (ENE) (	(ADR L.R. 5)	
Mediation (ADR L.R. 6)		
(Note: Parties who believe that an early settlement appreciably more likely to meet their needs than a ADR phone conference and may not file this form ADR Phone Conference. See Civil Local Rule 16-	any other form of ADR, must participate in an 1. They must instead file a Notice of Need for	
Private Process:		
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referring the case to an ADR proce	ess unless otherwise ordered.)	
✓ other requested deadline Within 30 c	lays after the close of expert discovery	
Anthon and the second second second	RUS, MIZIBAND & SMITH, APC	
D . 1 1000100	$\mathcal{N} \mathcal{O}$	
Dated: 12/23/08	Leo J. Presiado	
	Attorneys for Defendants	
Dated:	Thunderwood Holdings, Inc.,	
	Brian Dunning and briandunning.com	
	bilair ballining alla bilailaaliining.	

eBay Inc.,	
Plaintiff(s),	CASE NO. C 08 04052 JF
V. Digital Point Solutions, Inc., et al.	STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS
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Court Processes:  Non-binding Arbitration (AE Early Neutral Evaluation (EN Mediation (ADR L.R. 6)	
appreciably more likely to meet their needs	tlement conference with a Magistrate Judge is than any other form of ADR, must participate in an s form. They must instead file a Notice of Need for le 16-8 and ADR L.R. 3-5)
Private Process:  ✓ Private ADR (please identify	process and provider) Private mediation
through a provider to be later determined by the parti	ics.
referring the case to an ADR	e deadline is 90 days from the date of the order process unless otherwise ordered.)
✓ other requested deadline With	in 30 days after the close of expert discovery.
Dated: 12/24/08	Attorney for Plaintiff  Patrick Hen for Daniel Bernhard  Pursuant to written authorization
Dated: <u>12/24/08</u>	Daniel Bernhard, on behalf of Defendants Todd Dunning and Dunning Enterprises, Inc.

eBay Inc.,	
Plaintiff(s),	CASE NO. C 08 04052 JF
V. Digital Point Solutions, Inc., et al.	STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS
Defendant(s).	
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appreciably more likely to meet their needs t	lement conference with a Magistrate Judge is han'any other form of ADR, must participate in an form. They must instead file a Notice of Need for e 16-8 and ADR L.R. 3-5)
Private Process:  ✓ Private ADR (please identify page 1)	process and provider) Private mediation
through a provider to be later determined by the partic	es.
<del>-</del>	r: e deadline is 90 days from the date of the order process unless otherwise ordered.)
✓ other requested deadline Within	in 30 days after the close of expert discovery.
Dated: <u>12/24/08</u>	Attorney for Plaintiff  Patrick K. McClellan  pursuant to written authorization
Dated: 12/24/08	Patrick K. McClellan, on behalf of Defendant Kessler's Flying Circus

ebay inc.,	
Plaintiff(s),	CASE NO. C 08 04052 JF
V. Digital Point Solutions, Inc., et al.	STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS
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Court Processes:  Non-binding Arbitration (ADR L Early Neutral Evaluation (ENE) Mediation (ADR L.R. 6)  (Note: Parties who believe that an early settleme appreciably more likely to meet their needs than	(ADR L.R. 5)
ADR phone conference and may not file this for ADR Phone Conference. See Civil Local Rule 16	m. They must instead file a Notice of Need for
Private Process:  ✓ Private ADR (please identify process)  through a provider to be later determined by the parties.	cess and provider) Private mediation
The parties agree to hold the ADR session by: the presumptive deadline (The deareferring the case to an ADR proc	adline is 90 days from the date of the order tess unless otherwise ordered.)
✓ other requested deadline Within 30	days after the close of expert discovery.
Dated: 12/23/08	
	Attorney for Plaintiff
Dated:	s/Seyamack Kouretchian
	Attorney for Defendant

#### [PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

✓ Private ADR

Deadline for ADR session

90 days from the date of this order.

✓ other As stipulated above.

IT IS SO ORDERED.

Dated: 1/5/09

UNITED STATE DISTRICT

**JUDGE**